

*Briant, J.*UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL BRADFORD, PAT DAMIANI, JR., JOSEPH DELEONARDIS, JOHN DISPENSA, ROBERT DIZZINE, FRANK DOLBAUM, RICH GILMORE, JOHN HILL, PHILLIP HUGGINS, JAMES JOHANNEMANN, JOHN MARAIA, JOHN A. MARAIA, ROBERT NIGRO, RAYMOND PANTEL, RICHARD PARKER, TIMOTHY RILEY, JEFF SEIDEL, CARL TALLARDY, ALLAN THOMPSON, JR., JAMES SASS, JR. AND SANFORD WHITMAN, AS TRUSTEES OF THE IBEW LOCAL 363 PENSION, WELFARE, ANNUITY AND J.A.T. FUNDS,

Plaintiffs,

-against-

DAVID L. KEMPTON, INC., a/k/a L.I.A. ELECTRIC CORP.,

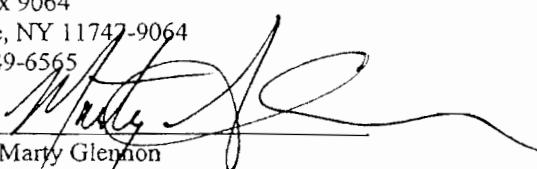
Defendant.

Case No. 07 Civ. 3543 (CLB)

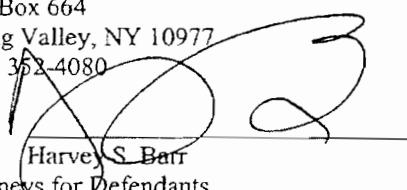
**STIPULATION AND ORDER OF  
DISCONTINUANCE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, based upon a settlement between the parties, that the above-entitled action against defendants DAVID L. KEMPTON, INC., a/k/a L.I.A. ELECTRIC CORP., be, and the same hereby is discontinued pursuant to F.R.C.P. 41(a)(2).

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Attorneys for Defendants

SO ORDERED:

White Plains, New York

November 16, 2007

*Charles L. Brieant*

Honorable Charles L. Brieant  
United States District Judge

**CHARLES L. BRIEANT**